



FAIR POLITICAL PRACTICES COMMISSION

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October 7, 2009

Culver City Unified School District
Attn: Dr. Myrna Rivera Cote

REDACTED

RE: **Advisory Letter**

FPPC File No. 090664; Karlo Silbiger; Karlo Silbiger for Culver City School Board; Culver City Unified School District

Dear Dr. Cote:

The Fair Political Practices Commission (the "Commission") enforces the provisions of the Political Reform Act (the "Act") found in Government Code Section 81000, and following. The Act requires campaign committees to file periodic campaign disclosure statements disclosing contributions and expenditures made to candidates and ballot measure committees.

Section 82013 defines a committee as any person or combination of persons who directly or indirectly:

- (a) Receives contributions totaling one thousand dollars (\$1,000) or more in a calendar year;
- (b) Makes independent expenditures totaling one thousand dollars (\$1,000) or more in a calendar year; or
- (c) Makes contributions totaling ten thousand dollars (\$10,000) or more in a calendar year to or at the behest of candidates or committees.

The Enforcement Division of the Commission received a complaint alleging that the Culver City Unified School District (the "District") allowed Karlo Silbiger to use facilities at El Rincon Elementary School for a "Town Hall" meeting with Karlo Silbiger which was sponsored by his campaign committee.¹

If the District was aware that Mr. Silbiger intended to use the facilities for his campaign-related activity, and allowed such use, the District would become a major donor campaign committee and incur a filing obligation if it made contributions, including an in-kind contribution of the use of its facilities, of \$10,000 or more.

Since we have no evidence to indicate that the District intended to allow the use of its facility for a campaign event for a candidate, or evidence that the District made an in-kind contribution of \$10,000 or more, we have decided to close this matter. If the District made contributions of \$10,000 or more to any number of candidates or measures in a calendar year, it became a campaign committee during that year and should contact the Commission's Technical Assistance Division for advice on its campaign reporting obligations. Additionally, the District should be aware of the limitations of Education Code Sections 7054 and 7058 and consult the District counsel if it has questions in the future.

If you have questions regarding this matter, please contact me at (916) 322-8194.

Sincerely,

REDACTED

Jeannette E. Turvill
Political Reform Consultant
Enforcement Division

JT/jt

cc. Ms. Susan Deen

¹ Education Code Section 7054 prohibits school district funds, services, supplies, or equipment from being used for the purpose of "urging the support or defeat of any ballot measure or candidate, including, but not limited to, any candidate for election to the governing board of the district." Education Code Section 7058 addresses the use of a school district forum for political purposes, when all sides are provided access on an equitable basis.